

IN THE UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

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XL SPECIALTY INSURANCE COMPANY,

Plaintiff,

Case No. 14-CV-5225 (AT)

-against-

JOHN R. LAKIAN, DIANE W. LAMM and
KOBRE & KIM LLP,

Defendants

-and-

EISEMAN LEVINE LEHRHAUPT &
KAKOYIANNIS, P.C., BRIEF CARMEN &
KLEIMAN, LLP and MERRILL
COMMUNICATIONS, LLC

Intervening Defendants

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KOBRE & KIM LLP,

Counterclaim Plaintiff,

-against-

XL SPECIALTY INSURANCE COMPANY,

Counterclaim Defendant.

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JOINT MOTION TO DISBURSE FUNDS AND ENTER FINAL JUDGMENT

The Plaintiff, the Defendants, and the Intervening Defendants file this Joint Motion seeking the Court's approval of the Settlement Agreement, attached as Exhibit A, to disburse the

funds deposited with the Court in this interpleader action according to the terms of the Settlement Agreement and a final judgment: 1) discharging the Plaintiff, XL Specialty Insurance Company ("XL Specialty"), from any further liability to any person or entity with respect to the proceeds of the insurance policy at issue in this action (the "Policy"); 2) adjudicating the Defendants' and Intervening Defendants' respective rights and obligations with respect to the proceeds deposited with the Court pursuant to the terms of the Settlement Agreement; and 3) permanently enjoining any person from instituting or prosecuting any action against XL Specialty, the Defendants, or the Intervening Defendants in any court with respect to the proceeds of the Policy.

Respectfully submitted,

/s/ John H. Eickemeyer

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